

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

WILLIAM D. SHELY and DIANNA	)	
L. SHELY, husband and wife,	)	
	)	
Plaintiffs,	)	8:05CV437
	)	
v.	)	
	)	
WELLS FARGO HOME MORTGAGE	)	ORDER
INC., GE CAPITAL MORTGAGE	)	
SERVICES, INC., and ERIC H.	)	
LINDQUIST, Successor Trustee,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court on plaintiffs' motion to dismiss (Filing No. 22), and defendants' motion to dismiss counterclaim and response to plaintiffs' motion to dismiss (Filing No. 23). The Court finds said motions should be granted. Accordingly,

IT IS ORDERED that said motions are granted; plaintiffs' amended complaint and defendants' counterclaim are dismissed without prejudice, each party to pay their own costs and attorney fees.

DATED this 19th day of May, 2006.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

